



**INTERPRETATIONS & APPLICATIONS  
OF BUILDING CODES & REGULATIONS #98-10**

**CODE SECTION :                   ARS 49-104 (B) (12)**

**04/03/98 rev 9/16/03**

**SUBJECT : BARRIERS FOR PUBLIC AND SEMI-PUBLIC SWIMMING POOLS**

Any person who wants to construct a new public or semipublic swimming pool or spa in the City of Scottsdale, or who wants to modify an existing public or semipublic swimming pool or spa, must obtain a design approval from Maricopa County Environmental Services Division.

The submittal of an application for design approval and the submittal of complete design plans and specifications for the swimming pool or spa are required. No public or semipublic swimming pool or spa may operate without receiving a final "Approval of Construction" from Maricopa County Environmental Services Division.

A "public swimming pool" or a "public spa" is defined as a swimming pool or spa that is open to members of the general public regardless of whether a fee is charged for admission. The terms include a swimming pool or spa that is operated by a county, municipality, school district, or other political subdivision, or a university or college. It also includes any commercial swimming pool or spa that is open to the public where the primary business of the facility is the operation of a swimming pool or spa. A "semipublic swimming pool" or "semipublic spa" means a swimming pool or spa that is operated in conjunction with a lodging such as a hotel, motel, resort, apartment, townhouse or condominium complex, trailer court, mobile home park, or a recreational vehicle park. The term also includes a swimming pool or spa that is operated in conjunction with a country club, health club, camp, and similar establishments. Finally, "semipublic swimming pool" or "semipublic spa" includes a swimming pool or spa that is operated by a neighborhood or homeowner's association for the residents of a community and their guests but which is not open to members of the public.

At the present time, the Maricopa County Environmental Services Division (MCESD), reviews the design and oversees the construction of public and semipublic swimming pools and spas in Maricopa County. MCESD regulates swimming pools and spas under local ordinances found in the Maricopa County Health Code. ADEQ has adopted minimum design standards that are generally consistent with Maricopa County's ordinances. The adopted rules by ADEQ apply only to the design and construction of public and semipublic swimming pools and spas.